



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and Communication**

# Regulatory Tracking Summary

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**27 August 2010**

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

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## Acronyms

AAC = Alabama Administrative Code  
ADEM = Alabama Department of Environmental Management  
AQB = Air Quality Bureau  
BACT = Best available control technology  
CCR = *California Code of Regulations*  
CEQA = California Environmental Quality Act  
CFR = *Code of Federal Regulations*  
CO<sub>2</sub>e = Carbon dioxide equivalent  
COMAR = *Code of Maryland Regulations*  
CRNR = *California Regulatory Notice Register*  
CUP = Consumptive Use Permits  
DAPC = Division of Air Pollution Control  
DAR = Division of Administrative Rules  
EA = Environmental Assessment  
EIB = Environmental Improvement Board  
EIS = Environmental Impact Statement  
EPA = U.S. Environmental Protection Agency  
ERP = Environmental Resource Permits  
FAA = Federal Aviation Administration  
F.A.C. = Florida Administrative Code  
FAW = *Florida Administrative Weekly*  
FDEP = Florida Department of Environmental Protection  
FONSI/ROD = Finding of No Significant Impact and Record of Decision  
FR = *Federal Register*  
GACT = Generally available control technologies  
GHG = Greenhouse gas  
GRC = Glenn Research Center  
HAP = Hazardous air pollutant  
HGB = Houston-Galveston-Brazoria  
IRIS = Integrated Risk Information System  
MACT = Maximum achievable control technology  
MARS = Mid-Atlantic Regional Spaceport  
*Md.R.* = *Maryland Register*  
NAAQS = National Ambient Air Quality Standards  
NASA = National Aeronautics and Space Administration

NEPA = National Environmental Policy Act  
NESHAP = National Emission Standards for Hazardous Air Pollutants  
NMAC = New Mexico Administrative Code  
NMED = New Mexico Environment Department  
NSR = New Source Review  
OAC = Ohio Administrative Code  
OEPA = Ohio Environmental Protection Agency  
PM<sub>10</sub> = Particulate matter with an aerodynamic equivalent diameter of 10 microns or less  
PSD = Prevention of Significant Deterioration  
PTE = Potential to emit  
RCRA = Resource Conservation and Recovery Act  
RDX = Royal demolition explosive  
RICE = Reciprocating internal combustion engines  
RIN = Regulatory Identification Number  
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication  
SCAQMD = South Coast Air Quality Management District  
SIP = State Implementation Plan  
SJRWMD = St. Johns River Water Management District  
SO<sub>2</sub> = Sulfur dioxide  
TAC = Texas Administrative Code  
TexReg = *Texas Register*  
tpy = tons per year  
TSCA = Toxic Substances Control Act  
UAC = Utah Administrative Code  
U.S. = United States  
UST = Underground Storage Tank  
VAC = Virginia Administrative Code  
*Va.R.* = *Virginia Register*  
VCAPCD = Ventura County Air Pollution Control District  
VDEQ = Virginia Department of Environmental Quality  
VOC = Volatile organic compound  
WFF = Wallops Flight Facility

## 1.0 U.S. Federal Regulatory Review

### 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08272010-1	Air Ambient Air Monitoring	08/17/2010	<a href="#">75 FR 51039</a>	Notice	U.S. Environmental Protection Agency; Office of Research and Development  Ambient Air Monitoring Reference and Equivalent Methods: Designation of Two New Equivalent Methods  Notice that two new methods for measuring concentrations of PM10 and SO <sub>2</sub> in the ambient air have been designated.	
FED08272010-2	Air NAAQS—Ozone	08/24/2010	<a href="#">75 FR 51960</a>	Proposed Rule	U.S. Environmental Protection Agency  Proposed Rule To Implement the 1997 8-Hour Ozone National Ambient Air Quality Standard: New Source Review Anti-Backsliding Provisions for Former 1-Hour Ozone Standard [40 CFR Part 51]  Proposes to revise the rule for implementing the 1997 8-hour ozone NAAQS to address how NSR requirements that applied due to the area's 1-hour ozone NAAQS classification should apply under the anti-backsliding provisions of the 1997 8-hour implementation rule. Requests for a public hearing due 09/03/2010. Comments due 09/23/2010. [RIN 2060-AP30]	
FED08272010-3	Air NESHAP—RICE	08/20/2010	<a href="#">75 FR 51569</a>	Final Rule	U.S. Environmental Protection Agency  National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines [40 CFR Part 63]  Promulgates NESHAP for existing stationary spark ignition RICE that either are located at area sources of HAP emissions or that have a site rating of less than or equal to 500 brake horsepower and are located at major sources of HAP emissions. Effective 10/19/2010. [RIN 2060-AP36]	<a href="#">NASA-related facilities</a> subject to the RICE NESHAP should be aware of this action.
FED08272010-4	Climate Change Water Utilities	08/23/2010	<a href="#">75 FR 51806</a>	Notice	U.S. Environmental Protection Agency  Climate Change Vulnerability Assessment: Four Case Studies of Water Utility Practices  Announces a public comment period for the draft document titled, " <a href="#">Climate Change Vulnerability Assessment: Four Case Studies of Water Utility Practices</a> ." Draft report presents a series of case studies describing approaches being taken by four water utilities to assess vulnerability to future climate change. Report is intended to illustrate the types of analyses, models, and climate change information being developed and used to understand and respond to climate risk. Comments due 10/07/2010.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08272010-5	Commercial Space Transportation MARS	08/16/2010	<a href="#">75 FR 50036</a>	Notice	<p>Federal Aviation Administration, Office of Commercial Space Transportation</p> <p>Availability of Finding of No Significant Impact and Record of Decision for Actions Related to Environmental Assessment for the Expansion of the Wallops Flight Facility Launch Range</p> <p>Announces availability of the FONSI/ROD for the expansion of the Wallops Flight Launch Range. The FONSI/ROD is based on NASA's August 2009 <a href="#">Environmental Assessment for the Expansion of the Wallops Flight Facility Launch Range</a>, addressing the proposed expansion of the MARS at WFF. FAA served as a cooperating agency in the preparation of the EA because of its role in the following:</p> <ul style="list-style-type: none"> <li>▪ Licensing the Virginia Commercial Space Flight Authority (which operates MARS as a commercial launch site).</li> <li>▪ Issuing licenses or permits to operate commercial launch and reentry vehicles at MARS.</li> </ul> <p>FAA has formally adopted the EA and is using the FONSI/ROD to support the modification or renewal of Virginia Commercial Space Flight Authority Launch Site Operator License and issuance of licenses or experimental permits for commercial launch and reentry vehicles at MARS. The FONSI is available on the FAA <a href="#">website</a>.</p>	WFF should be aware of this action.
FED08272010-6	Ecological Classification	08/23/2010	<a href="#">75 FR 51838</a>	Notice	<p>U.S. Geological Survey</p> <p>Public Review of Draft Coastal and Marine Ecological Classification Standard</p> <p>Announces public review of the draft <a href="#">Coastal and Marine Ecological Classification Standard</a>. The Standard provides a means of classifying ecological and habitat units using a common terminology. Provides uniform protocol for identifying, characterizing, and naming ecological units in support of monitoring, protection, and restoration of unique biotic assemblages, protected species, critical habitat, and important ecosystem components. Comments due 12/13/2010.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08272010-7	Energy Conservation	08/20/2010	<a href="#">75 FR 51423</a>	Proposed Rule	Office of Energy Efficiency and Renewable Energy  Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Public Meeting and Availability of Statement of Policy for Adopting Full-Fuel-Cycle Analyses Into Energy Conservation Standards Program [10 CFR Part 431]  Proposes to modify methods used to estimate likely impacts of energy conservation standards on energy use and emissions and to expand the energy use and emissions information made available to consumers. Proposes to use full-fuel-cycle measures of energy and GHG emissions, rather than the primary energy measures currently used. Also proposes to make more energy and emissions data available to the public. Meeting to be held in Washington, D.C., on 10/07/2010. Comments due 09/23/2010. [RIN 1904-AC24]	
FED08272010-8	Hazardous Materials Transportation	08/24/2010	<a href="#">75 FR 52069</a>	Proposed Rule	Pipeline and Hazardous Materials Safety Administration  Hazardous Materials: Harmonization With the United Nations' Recommendations, International Maritime Dangerous Goods Code, and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air [49 CFR Parts 171, 172, 173, 175, 176, 178, and 180]  Proposes to amend the Hazardous Materials Regulations to maintain alignment with international standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements. Comments due 10/25/2010.	<a href="#">NASA-related facilities and operations</a> should be aware of this action.
FED08272010-9	Hazardous Materials Transportation Special Permits	08/24/2010	<a href="#">75 FR 52057</a>	Notice	Pipeline and Hazardous Materials Safety Administration  Office of Hazardous Materials Safety; Notice of Delays in Processing of Special Permits Applications  Lists special permit applications that have been in process for 180 days or more. Includes the following: <ul style="list-style-type: none"> <li>Application Number 6293-M, ATK Space Systems, Inc. (Former Grantee: ATK Thiokol, Inc.), Corine, Utah. Reason for delay: Staff review delayed by other priority issues or volume of special permit applications. Expected date of completion: 03/31/2011.</li> </ul>	<a href="#">NASA programs</a> may be interested in this action.
FED08272010-10	Mississippi River Navigational Safety	08/18/2010	<a href="#">75 FR 51097</a>	Notice Meeting	U.S. Coast Guard  Announces a public meeting of the Lower Mississippi River Waterway Safety Advisory Committee to discuss various issues relating to navigational safety on the Lower Mississippi River and related waterways. Meeting to be held in New Orleans, Louisiana, on 09/23/2010.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08272010-11	NEPA Plum Brook Station Wind Farm Project	08/25/2010	<a href="#">75 FR 52374</a>	Notice	<p>National Aeronautics and Space Administration</p> <p>National Environmental Policy Act; NASA Glenn Research Center Plum Brook Station Wind Farm Project</p> <p>Notice that NASA intends to conduct scoping and prepare an EIS for the NASA Glenn Research Center Plum Brook Station Wind Farm Project located near Sandusky, Ohio. Purpose of constructing and operating the wind farm is for NASA to increase its use of renewable energy sources on the NASA-owned land at Plum Brook Station, which will enable NASA to meet the objectives of the Energy Policy Act of 2005. Three alternatives will be examined: two siting alternatives and the no-action alternative. The two siting alternatives would involve different configurations for the wind farm on approximately 2,000 acres of underutilized land at Plum Brook Station. Environmental impacts to be considered are those associated with construction and operation for up to 30 wind turbines. Comments due 10/25/2010.</p>	<a href="#">GRC and Plum Brook</a> should be aware of this action.
FED08272010-12	Policy Environmental Justice	08/16/2010	<a href="#">75 FR 49930</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>National Environmental Justice Advisory Council Notification of Public Teleconference and Public Comment</p> <p>Announces a public teleconference to discuss incorporating environmental justice concerns into permits under federal environmental laws. Teleconference to be held 08/26/2010.</p>	
FED08272010-13	Railroads Concrete Crossties	08/26/2010	<a href="#">75 FR 52490</a>	Proposed Rule	<p>Federal Railroad Administration</p> <p>Track Safety Standards; Concrete Crossties [49 CFR Part 213]</p> <p>Proposes to amend the Federal Track Safety Standards to promote the safety of railroad operations over track constructed with concrete crossties. Proposes specific requirements for effective concrete crossties, for rail fastening systems connected to concrete crossties, and for automated inspections of track constructed with concrete crossties. Requests for public hearing due 09/27/2010. Comments due 10/12/2010. [RIN 2130-AC01]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08272010-14	Toxic Substances	08/23/2010	<a href="#">75 FR 51734</a>	Notice Meeting	<p>U.S. Environmental Protection Agency</p> <p>Testing of Certain High Production Volume Chemical Substances; Third Group of Chemical Substances; Notice of Public Meeting [40 CFR Part 799]</p> <p>Announces a public meeting to provide an opportunity to comment on a proposed rule entitled "Testing of Certain High Production Volume Chemicals; Third Group of Chemicals" (<a href="#">75 FR 8575</a>, 02/25/2010). Proposed rule would require manufacturers, importers, and processors of certain high production volume chemical substances to conduct testing to obtain screening level data for health and environmental effects and chemical fate. Opportunity to present comment was provided in the proposed rule and in response to that opportunity, a request to present oral comments was received. Meeting to be held 09/09/2010 in Washington, D.C.</p>	
FED08272010-15	Toxic Substances Dichloromethane	08/17/2010	<a href="#">75 FR 50761</a>	Notice Workshop	<p>U.S. Environmental Protection Agency</p> <p>Draft Toxicological Review of Dichloromethane: In Support of Summary Information on the Integrated Risk Information System</p> <p>Announces an external peer review workshop to review the draft human health assessment titled, "<a href="#">Toxicological Review of Dichloromethane: In Support of Summary Information on the IRIS</a>." Workshop to be held in Bethesda, Maryland, on 09/23/2010.</p>	
FED08272010-16	Toxic Substances Lead	08/23/2010	<a href="#">75 FR 51815</a>	Notice	<p>National Toxicology Program; Center for the Evaluation of Risks to Human Reproduction</p> <p>Evaluation of the Health Effects of Low-Level Lead Exposure: Call for Information and Nomination of Scientific Experts</p> <p>Announces evaluation of the scientific evidence regarding potential health effects associated with low-level lead exposure, and invites submission of information about related ongoing studies or upcoming publications. Information due 10/07/2010.</p>	
FED08272010-17	Toxic Substances Chemical Exposures	08/25/2010	<a href="#">75 FR 52355</a>	Notice	<p>Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry</p> <p>Draft National Conversation on Public Health and Chemical Exposures Work Group Reports; Opportunity for Public Comment</p> <p>Announces availability of <a href="#">draft National Conversation on Public Health and Chemical Exposures work group reports</a> for public review and comment. Comments due 09/20/2010.</p>	
FED08272010-18	Toxic Substances RDX	08/26/2010	<a href="#">75 FR 52535</a>	Notice	<p>Agency for Toxic Substances and Disease Registry</p> <p>Availability of Draft Toxicological Profile</p> <p>Announces the availability of a new draft toxicological profile for RDX (hexahydro-1,3,5-trinitro-1,3,5-triazine; or "cyclonite"). Seeks public comments and additional information or reports on studies about the health effects for review and potential inclusion in the profile. Comments due 11/19/2010.</p>	



RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08272010-19	Water Drinking Water– Total Coliform	08/16/2010	<a href="#">75 FR 49930</a>	Notice	<p>U.S. Environmental Protection Agency Stakeholder Meeting Regarding Re-Evaluation of Currently Approved Total Coliform Analytical Methods</p> <p>Announces three public Web conferences to reevaluate currently approved Total Coliform Rule analytical methods. Stakeholders will be given an opportunity to discuss potential elements of a method reevaluation study such as:</p> <ul style="list-style-type: none"> <li>▪ Developing a reference coliform and non-coliform library for use in evaluation of method performance.</li> <li>▪ Setting method performance acceptance criteria.</li> <li>▪ Revising the Alternate Test Protocol.</li> </ul> <p>Web conferences to be held on 09/08/2010, 10/05/2010, and 11/04/2010.</p> <p><a href="#">Revisions to the Total Coliform Rule have been proposed (75 FR 40925, 07/14/2010).</a></p>	

## 1.2 Other News and Developments

### 1.2.1 EPA Releases Action Plans for Four Chemicals

On 18 August 2010, EPA released action plans for benzidine dyes, hexabromocyclododecane and nonylphenol /nonylphenol ethoxylates. The plans identify a range of actions the agency is considering under TSCA to address the potential health risks associated with these substances. The chemicals are widely used in both consumer and industrial applications, including dyes, flame retardants, and industrial cleaners and detergents.

More information regarding EPA's chemical programs can be found on the Existing Chemicals [website](#). Additionally, the RRAC PC developed a [regulatory alert](#) about the plans.

### 1.2.2 Webinar to be Held on Hazardous Waste Challenges at Federal Facilities

EPA is hosting a [webinar](#) for federal stakeholders that will provide a framework to deal with RCRA hazardous waste compliance issues at federal facilities. The webinar will feature lectures from experienced compliance inspectors and discussions of case studies. The webinar will be held 8 September 2010 from 1:30 to 3:30 p.m. (ET).

## 1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2010 will be held on the following Wednesdays at 12 p.m. CT:

- 1 September
- 22 September
- 13 October
- 24 November
- 15 December

## 2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

### 2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL08272010-1	Air PSD	08/22/2010	ADEM <a href="#">Public Notice 350</a>	Notice Hearing	Alabama Department of Environmental Management  Air Permits Authorizing Construction in Clean Air Areas (Prevention of Significant Deterioration (PSD) Permitting) [AAC 335-3-14-.04]  Announces a hearing to consider a proposal to modify current state PSD regulations for consistency with the federal GHG Tailoring Rule. Amendments would include additional thresholds of 100,000 tpy of GHG emissions for major source applicability and 75,000 tpy of GHG emissions as a significance threshold, based on carbon dioxide equivalent emissions. Copies of the proposed rules, the summary of reasons, and other resources are available on the <a href="#">ADEM website</a> . Public hearing is scheduled for 10/06/2010 at ADEM in Montgomery, Alabama. Comments due 10/08/2010.	
AL08272010-2	Water Water Quality	08/18/2010	ADEM <a href="#">Public Notice 210</a>	Notice Hearing	Alabama Department of Environmental Management  Water Quality Criteria [AAC 335-6-10] and Water Use Classifications for Interstate and Intrastate Waters [AAC 335-6-11]  Announces a hearing on a proposed rule that would : <ul style="list-style-type: none"> <li>▪ Update a reference to a technical document in Rule 335-6-10-.09.</li> <li>▪ Add the Cahaba and Escatawpa River Basins to Rule 335-6-10-.11.</li> <li>▪ Add numeric nutrient criteria to Rule 335-6-10-.11.</li> <li>▪ Amend Rule 335-6-10-.12 to delete forms codified in ADEM Admin. Code 335-1.</li> <li>▪ Amend Rule 335-6-11-.02(1), to correct the location of Little River Lake.</li> <li>▪ Amend Rule 335-6-11-.02 to update certain use classifications within the Choctawhatchee and Tennessee River Basins.</li> </ul> Copies of the proposed rules, the summary of reasons, and other resources are available on the <a href="#">ADEM website</a> . Public hearing is scheduled for 10/06/2010 at ADEM in Montgomery, Alabama. Comments due 10/06/2010.	

## 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA08272010-1	Air Car Scrap	08/27/2010	<a href="#">CRNR 2010, 35z, p. 1341</a>	Notice	Air Resources Board Enhanced Fleet Modernization Program [13 CCR 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, and 2630] Resubmittal of regulations implementing the <a href="#">Enhanced Fleet Modernization Program</a> , encouraging voluntary retirement of older passenger automobiles and light- and medium-duty trucks. Effective 08/12/2010.	

### 2.2.1 California Air Districts Regulatory Review

#### 2.2.1.1 Antelope Valley Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Antelope Valley Air Quality Management District](#).

#### 2.2.1.2 Bay Area Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Bay Area Air Quality Management District](#).

#### 2.2.1.3 Eastern Kern Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

#### 2.2.1.4 Mojave Desert Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

### 2.2.1.5 South Coast Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA-related operations in [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS08272010-1	Air GHGs	08/18/2010	<a href="#">Public Notice</a> , SCAQMD Website	Notice	<p>South Coast Air Quality Management District</p> <p>Public Workshop and CEQA Scoping Session: Proposed Amendments to Prevention of Significant Deterioration and Title V Permits [Regulation XVII and XXX]</p> <p>Notice of meeting to discuss proposed amendments to <a href="#">Regulation XVII</a> and <a href="#">XXX</a> to include GHGs in the PSD and Title V programs. Proposal would modify SCAQMD rules as follows:</p> <ul style="list-style-type: none"> <li>1701–General; would add GHGs to list of pollutants under Regulation XVII and establish a two-step phase-in schedule.</li> <li>1702–Definitions; would add and amend definitions.</li> <li>1703–PSD Analysis; would add requirements applying BACT to GHG emissions.</li> <li>1704–Exemptions, and 1710–Analysis, Notice and Reporting; would change references to Rule 1703.</li> <li>1706–Emission Calculations, and 1713–Source Obligation; would add GHGs to the rule.</li> <li>3000–General; would add GHGs to the Title V program and add and amend definitions.</li> <li>3001–Applicability; would implement addition of GHGs to Title V permits and establish a two-step phase-in schedule.</li> <li>3003–Applications, 3005–Permit Revisions, and 3006–Public Participation; would change references to Rule 3000.</li> <li>3008–PTE Limitations; would authorize sources to cap PTE to avoid applicability of Title V based on GHG emissions. Sources with GHG emissions &lt;50,000 tpy CO<sub>2</sub>e are not subject to regulation.</li> </ul> <p>A public workshop is scheduled for 09/09/2010 in Diamond Bar, California. Comments due 09/17/2010.</p>	

### 2.2.1.6 Ventura County Air Pollution Control District

This summary includes items that were reviewed for potential impacts to NASA-related operations in the [Ventura County Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAV08272010-1	Air GHGs	08/19/2010	<a href="#">Public Notice</a> , VCAPCD Website	Notice	<p>Ventura County Air Pollution Control District Definitions [Rule 2], Exemptions From Permit [Rule 23], Part 70 Permits General [Rule 33], Part 70 Permits Definitions [Rule 33.1], Elective Emission Limits [Rule 35], Permit Fees [Rule 42], Federally Enforceable Limits on Potential to Emit [Rule 76].</p> <p>Announces a workshop on proposed revisions related to GHG emissions, including the following changes:</p> <ul style="list-style-type: none"> <li>▪ GHG applicability thresholds, and the appropriate two-step phase-in implementation dates, would be added to several rules.</li> <li>▪ GHGs would be added as regulated pollutants.</li> <li>▪ Definitions would be added for "greenhouse gases," "CO<sub>2</sub>e," and "Subject to Regulation." Other definitions are being amended to include GHGs.</li> <li>▪ A permit renewal fee for GHGs on Part 70 permits would be established.</li> </ul> <p>A public workshop is scheduled for 09/21/2010 in Ventura, California. Further information, including a <a href="#">draft staff report</a> summarizing the proposed revisions, is available on the rulemaking <a href="#">website</a>.</p>	

## 2.3 Colorado State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Colorado.

## 2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL08272010-1	Air General Provisions	08/27/2010	<a href="#">FAW Notice #8834195</a>	Proposed Rule	<p>Florida Department of Environmental Protection</p> <p>Air Pollution Control [Chapter 62-204.800 F.A.C.]</p> <p>Proposes to update adoption-by-reference of federal air pollution regulations at 40 CFR Parts 60, 62, 63, and 81. Would also correct citations to regulations for which enforcement is reserved to EPA and delete previously adopted-by-reference federal regulations at 40 CFR Part 60, Subpart HHHH, which are now obsolete. Comments due 09/17/2010.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL08272010-2	Water Ocean and Coastal Resources	08/27/2010	<a href="#">FAW Notice #8927024</a>	Notice Meeting	Florida Department of Environmental Protection Florida Oceans and Coastal Council Announces a public meeting to be held by conference call to further its duties under the Oceans and Coastal Resources Act on 09/13/2010.	
FL08272010-3	Water Nutrients	08/20/2010	<a href="#">FAW Notice #9016264</a>	Notice Meeting	Florida Department of Environmental Protection, Bureau of Assessment and Restoration Support Nutrient Criteria for Estuaries and Coastal Areas Announces a meeting to discuss a draft report that summarizes available information and presents proposed approaches for the development of numeric nutrient criteria for estuaries and coastal areas, specifically Indian River Lagoon to St. Mary's River Estuary. Meeting location has changed from the 08/06/2010 <a href="#">FAW Notice #8953214</a> . Draft report will be posted to the <a href="#">FDEP website</a> . Meeting is scheduled for 08/31/2010 and 09/01/2010 in Bunnell, Florida.	
FL08272010-4	Water SJRWMD	08/20/2010	<a href="#">FAW Notice #8998125</a>	Notice Meeting	St. Johns River Water Management District Consumptive Use Permits [Chapter 40C-1.603, F.A.C.] Announces a rule development meeting to discuss charging a fee when a request for modification of a CUP is submitted by letter. Draft text is available on the <a href="#">Notice of Rulemaking</a> . Meeting is scheduled for 09/16/2010 in Altamonte Springs and 09/17/2010 in Jacksonville, Florida.	
FL08272010-5	Water SJRWMD	08/20/2010	<a href="#">FAW Notice #8998222</a>	Notice Meeting	St. Johns River Water Management District Consumptive Use Permits [Chapter 40C-2, F.A.C.] Announces a meeting to discuss the following rule amendments that would: <ul style="list-style-type: none"> <li>Expand and clarify CUP modifications</li> <li>Revise and update permit conditions</li> <li>Condense water use type categories</li> <li>Adopt Water Use Record (EN-50) and Water Use Reporting (EN-51) forms</li> <li>Modify drought frequencies and definitions as applicable to irrigation</li> <li>Clarify permit transfer criteria and monitoring requirements, and reduce reporting for small users</li> <li>Clarify water conservation plan applicability</li> </ul> Draft text is available at <a href="#">FAW Notice #8998222</a> . Meeting is scheduled for 09/16/2010 in Altamonte Springs and 09/17/2010 in Jacksonville, Florida.	
FL08272010-6	Water SJRWMD	08/27/2010	<a href="#">FAW Notice #9043618</a>	Notice Meeting	St. Johns River Water Management District Consumptive Use Permits [Chapter 40C-2.101, F.A.C.] Announces a meeting to discuss procedural rules associated with CUP applications. The draft text is available on the <a href="#">Notice of Rulemaking</a> . Meeting is scheduled for 09/15/2010 in Palatka, Florida.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL08272010-7	Water SJRWMD	08/27/2010	<a href="#">FAW Notice # 9044394</a>	Notice Meeting	St. Johns River Water Management District Consumptive Use Permits [Chapter 40C-20.-011, F.A.C.] Announces a meeting to discuss delegation of authority to District staff to issue standard general CUPs. Draft text is available in the <a href="#">Notice of Rulemaking</a> . Meeting is scheduled for 09/15/2010 in Palatka, Florida.	
FL08272010-8	Water SJRWMD	08/27/2010	<a href="#">FAW Notice # 9044588</a>	Notice Meeting	St. Johns River Water Management District Consumptive Use Permits [Chapter 40C-22.001, F.A.C.] Announces a meeting to discuss delegation of authority to District staff to notify an applicant that a proposed consumptive use does not qualify for a noticed general permit. Draft text is available on the <a href="#">Notice of Rulemaking</a> . Meeting is scheduled for 09/15/2010 in Palatka, Florida.	
FL08272010-9	Water SJRWMD	08/27/2010	<a href="#">FAW Notice # 9044103</a>	Notice Rule Development	St. Johns River Water Management District Environmental Resource Permits [Chapter 40C-4.901, F.A.C.] Proposes to amend the ERP rules in Chapter 40C-4, F.A.C., and the <i>Applicant's Handbook: Management and Storage of Surface Waters</i> to: <ul style="list-style-type: none"> <li>Indicate regulatory delegations to District staff regarding ERPs are located in the Statement of Agency Organization and Operation, which is found on the District's website.</li> <li>Remove certain references to the Governing Board in favor of the term "District" for clarity and accuracy.</li> <li>Clarify and reorganize the rules describing procedures for processing individual and standard ERPs; procedures for objections to such permits; notices provided in the permitting process; requests for administrative hearing; and procedures at regulatory meetings.</li> </ul> Preliminary text of the draft is available on the <a href="#">FAW website</a> .	
FL08272010-10	Water SJRWMD	08/27/2010	<a href="#">FAW Notice # 9044685</a>	Notice Rule Development	St. Johns River Water Management District Environmental Resource Permits [Chapter 40C-40.011, F.A.C.] Proposes to delete from Chapter 40C-40 the delegations to District staff to issue standard ERPs. Regulatory delegations regarding ERPs will be described solely in the Statement of Agency Organization and Operation available on the District's <a href="#">website</a> . Preliminary text of the draft is available on the <a href="#">FAW website</a> .	
FL08272010-11	Water SJRWMD	08/27/2010	<a href="#">FAW Notice # 9045267</a>	Notice Rule Development	St. Johns River Water Management District Environmental Resource Permits [Chapter 40C-400.201, F.A.C.] Proposes to revise the delegation of authority to District staff to notify an applicant when the proposed system does not qualify for a noticed general permit. Also addresses the location where SJRWMD will post notices of intent to use noticed general permits. Preliminary text of the draft is available on the <a href="#">FAW website</a> .	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL08272010-12	Water SJRWMD	08/27/2010	<a href="#">FAW Notice # 9044782</a>	Notice Rule Development	St. Johns River Water Management District Environmental Resource Permits [Chapter 40C-42.091, F.A.C.] Proposes amendments to procedural rules associated with ERPs for storm water management systems. Preliminary text of the draft is available on the <a href="#">FAW website</a> .	
FL08272010-13	Water SJRWMD	08/27/2010	<a href="#">FAW Notice # 9045073</a>	Notice Rule Development	St. Johns River Water Management District Environmental Resource Permits [Chapter 40C-44.091, F.A.C.] Proposes amendments to procedures associated with ERP rules in Chapter 40C-4, F.A.C. and the Applicant's Handbook: Management and Storage of Surface Waters. Preliminary text of the draft is available on the <a href="#">FAW website</a> .	
FL08272010-14	Water Water Wells	08/27/2010	<a href="#">FAW Notice # 9003557</a>	Notice Change	Florida Department of Environmental Protection Water Well Permitting and Construction Requirements [Chapter 62-532 F.A.C.] Announces that minor changes have been made to the proposed rules ( <a href="#">FAW Notice #8754364</a> , 06/10/2010) regarding: <ul style="list-style-type: none"> <li>62-532.400 F.A.C., Permit for Water Well Construction, Repair, or Abandonment</li> <li>62-532.410 F.A.C., Water Well Completion Reports</li> <li>62-532.500 F.A.C., Water Well Construction Standards</li> </ul> The revised language is posted to the <a href="#">FAW website</a>	

## 2.5 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

## 2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD08272010-1	Air Radiation Management	08/27/2010	<a href="#">37:18 Md.R. 1242</a>	Proposed Action	Department of Environment Radiation Management [COMAR 26.12.01] Proposes to incorporate by reference Supplement 18 of Regulations for the Control of Ionizing Radiation (1994), which includes regulations for controlling possession and use of radiation machines, increases clarity, and incorporates changes necessitated by new radiation machine technology and radiation safety considerations. Comments due 09/27/2010.	



Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD08272010-2	Air Radiation Management	08/27/2010	<a href="#">37:18 Md.R. 1243</a>	Proposed Action	Department of Environment Radiation Management [COMAR 26.12.01]  Proposes to incorporate by reference Supplement 19 of Regulations for the Control of Ionizing Radiation (1994), which includes required U.S. Nuclear Regulatory Commission regulations regarding distribution of byproduct radioactive material. Comments due 09/27/2010.	
MD08272010-3	Air Radiation Management	08/27/2010	<a href="#">37:18 Md.R. 1243</a>	Proposed Action	Department of Environment Radiation Management [COMAR 26.12.02]  Proposes to update table of certification due dates in regulations for State Certification of Radiation Machines. Comments due 09/27/2010.	
MD08272010-4	Water Erosion and Sediment Control	08/27/2010	<a href="#">37:18 Md.R. 1244</a>	Proposed Action	Department of Environment Erosion and Sediment Control [COMAR 26.17.01]  Proposes to update existing regulations and revise the handbook, " <a href="#">1994 Maryland Standards and Specifications for Soil Erosion and Sediment Control</a> ," incorporated by reference in the current regulations. Revisions would include addition of new designs and standards, improvements and clarifications to existing designs and standards; establishment of a 20-acre grading unit; and strengthening existing stabilization requirements. Public hearing to be held 09/27/2010 in Baltimore, Maryland. Comments due 09/27/2010.	

## 2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of in Mississippi.

## 2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

### 2.8.1 Greenhouse Gas Statewide Cap and Trade Proposals

The Environmental Improvement Board (EIB) is considering two proposals regarding GHG emissions. First, the New Mexico Environment Department's Air Quality Bureau (aqb) has developed a new proposed Rule 20.2.350, Greenhouse Gas Cap-and-Trade Provisions. The proposed rule is intended to create a statewide GHG emissions cap and allow for GHG emission trading. [Technical testimony](#) will be heard at the next EIB session on 20 September 2010. Further information about the aqb proposal is available on its [website](#).

The [second proposal](#) was developed by a private citizens' group, New Energy Economy. Their proposal would establish a GHG cap, but has no provisions for emissions trading. The New Energy Economy proposal would amend Rules 20.2. General Provisions, 20.2.2 Definitions, 20.2.70 Operating Permits, and 20.2.72 Construction Permits. Public testimony on this proposal began in March 2010, resumed in August 2010, and is scheduled to continue on 4 October 2010 in Santa Fe, New Mexico.

Additional public testimony [sessions](#) for both proposals has been scheduled on 31 August 2010 in Artesia and Carlsbad, 1 September 2010 in Hobbs, 2 September 2010 in Clovis, and 8 September 2010 in Farmington, New Mexico. All public testimony collected on the GHG statewide emissions proposals will be included as part of the EIB's meeting on 20 September 2010 in Santa Fe, New Mexico.

## 2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH08272010-1	Air SIP	08/17/2010	<a href="#">75 FR 50711</a>	Final Rule	U.S. Environmental Protection Agency Disapproves an Ohio regulation revision pertaining to VOC limits for high-performance architectural coatings. Conditionally approves a revision regarding agerite resin D process. Effective 09/16/2010	
OH08272010-2	Air Permitting	08/16/2010	<a href="#">OEPA DAPC News</a>	Final Rule	Division of Air Pollution Control, Ohio Environmental Protection Agency Adoption of Amendments to Exemptions and Permit-by-Rule [OAC Chapter 3745-31-03] Finalizes amendments to add definitions applicable to existing emergency generator/air compressor/water pump exemption and permit-by-rule to allow these generators to participate in local and regional emergency load response programs. Effective 08/26/2010.	
OH08272010-3	Air VOCs	08/27/2010	<a href="#">OEPA DAPC News</a>	Proposed Rule	Division of Air Pollution Control, Ohio Environmental Protection Agency VOC Emissions from Reinforced Plastic Composites Production [OAC Chapter 3745-21-25] Proposes minor amendments to address EPA comments that are intended to make the rule approvable as a part of Ohio's SIP. Further details regarding the proposed rule, including the <a href="#">Amended Rule</a> , <a href="#">Synopsis</a> , and <a href="#">Public Meeting Notice</a> , are available on the OEPA <a href="#">website</a> . Comments due 10/06/2010.	

### 2.9.1 Maximum Achievable Control Technology Memorandum

The OEPA DAPC has issued a [guidance memorandum](#) to provide DAPC permitting staff with OEPA's position on the permitting and compliance assessment of area source MACT or GACT standards. The memo clarifies that Ohio has not accepted delegation of the federal MACT standards, provides background information regarding the standards, and lists questions with DAPC's answers related to implementation and enforcement of federal MACT requirements in Ohio. Issued on 5 August 2010, the memo is effective immediately.

## 2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX08272010-1	Air Anti-Backsliding	08/27/2010	<a href="#">35 TexReg 7687</a>	Proposed Rule	<p>Texas Commission on Environmental Quality New Source Review Anti-Backsliding [30 TAC 116]</p> <p>Proposes revisions to clarify that permitted facilities in areas that were designated nonattainment for the 1-hour ozone standard are subject to the major source thresholds and emission offsets of the 1-hour ozone standard upon the effective date of the rulemaking. Comments due 09/27/2010. Public hearing to be held 09/20/2010 in Austin, Texas.</p> <p><b>This rule would apply to facilities in the HGB nonattainment area. However, because the HGB area is classified as severe under the 1-hour ozone NAAQS and the 8-hour ozone NAAQS, there would be no change in requirements as a result of the rulemaking.</b></p>	
TX08272010-2	Air Plant-wide Applicability Limits	08/27/2010	<a href="#">35 TexReg 7698</a>	Proposed Rule	<p>Texas Commission on Environmental Quality Plant-wide Applicability Limits [30 TAC 116]</p> <p>Proposes changes to Plant-wide Applicability Limit rules to meet federal requirements. Includes changes to definitions and the conditions for reopening Plant-wide Applicability Limit permits. Also would amend the existing standard permit rule, to limit when existing registrations can be amended or renewed, and provide the deadline for final registrations under this specific standard permit. Also would remove obsolete references and make non-substantive administrative changes. Comments due 09/27/2010. Public hearing to be held 09/20/2010 in Austin, Texas.</p>	

## 2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT08272010-1	Safety Fire Safety	08/15/2010	<a href="#">UT Bull. Vol. 2010-16: DAR File No. 33880</a>	Proposed Rule	<p>Office of the State Fire Marshal; Department of Public Safety</p> <p>Fire Alarm System Inspecting and Testing [UAC R710-11]</p> <p>Would revise UAC R710-11-1 to update an incorporated reference for the International Fire Code from the 2006 Edition to the 2009 Edition. Comments due 09/14/2010.</p>	

## 2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA08272010-1	Storage Tanks USTs	08/16/2010	<a href="#">26:25 Va.R. 2825</a>	Final Rule	<p>State Water Control Board</p> <p>Underground Storage Tanks: Technical Standards and Corrective Action Requirements [9VAC25-580]</p> <p>Amendments related to the following:</p> <ul style="list-style-type: none"> <li>▪ Secondary containment of all new and replacement USTs and associated piping within 1,000 feet of existing water system or other potable drinking water well</li> <li>▪ Eligibility criteria for determining petroleum delivery worthiness of tanks</li> <li>▪ Tank marking methods</li> <li>▪ Methods for communicating ineligibility of tanks</li> <li>▪ Training for UST operators</li> </ul> <p>Effective 09/15/2010.</p>	
VA08272010-2	Water Water Quality	08/23/2010	<a href="#">VDEQ Website</a>	Notice	<p>Virginia Department of Environmental Quality</p> <p>2010 Water Quality Report</p> <p>The <a href="#">draft</a> Virginia 2010 Water Quality Assessment Integrated Report is available for public comment. Further information is available on the VDEQ <a href="#">website</a>. Comments due 09/24/2010.</p>	